

## **JUSTIFICATION FOR EXCEPTION TO FAIR OPPORTUNITY**

### **1. AGENCY AND CONTRACTING ACTIVITY**

This justification is executed by the Department of Veterans Affairs, Strategic Acquisition Center - Frederick on behalf of the Veterans Health Administration (VHA) Office of Informatics & Analytics (OIA).

### **2. NATURE/DESCRIPTION OF THE ACTION**

The Government intends to negotiate a logical follow-on with Burson Marsteller (BM) for continuing strategic outreach and communications services for VHA/OIA. Currently, these services are provided under Contract No. VA798-10-D-0129, Task Order VA798-12-J-0025. The period of performance for this Task Order ends May 14, 2013. The logical follow-on contract with Burson Marsteller will allow for continued services while the new communication requirement is in the acquisition phase.

### **3. DESCRIPTION OF SUPPLIES/SERVICES**

The Office of Informatics and Analytics is in transition, thus it is vital to maintain frequent communication with internal staff and continue outreach efforts to partners and stakeholders during this period of uncertainty. As the organization has continued to evolve and adjust as a result of the recent reorganization, it will require immediate knowledge to continue the strategies and tactics executed under the existing contract due to the sensitivity and complexity of messaging and the rapid coordination needed.

This follow-on task order will continue the important progress made in implementing innovative ideas to close a critical communications gap by facilitating communications with OIA staff.

Development, implementation, maintenance and ongoing refinement of a communications strategy
Graphics Support
Professional management and maintenance support for the OIA Communications SharePoint site and shared communications
Professional web management and maintenance support for the OIA intranet and internet websites
Writer/editor
Spanish translation

The follow-on task order will have a performance period of 3 months from the date of award, with an optional period of 3 months. The estimated value of this requirement is \$216,114.28 for the base period of performance and a total of \$432,228.56 with the optional period. FY13 funds are available.

#### **4. IDENTIFICATION OF EXCEPTION TO FAIR OPPORTUNITY**

In accordance with FAR 16.505(b)(2)(i)(C), the new work is a logical follow-on to an original Firm Fixed Price (FFP) task order under Burson Marsteller's contract for OIA, which was competed in accordance with applicable contract ordering procedures.

The current contractor, Burson Marsteller, is providing extensive strategic communications expertise for a number of key communications initiatives and programs including VHA Reports and Measurements Portal (RAMP), Joint Executive Council/Health Executive Council health information sharing, a joint VA/Department of Defense strategic initiative, Affordable Care Act Legislation, integrated electronic health record, Connected Health, Blue Button/My HealtheVet initiatives, and the National Library. The role of Burson Marsteller as a strategic partner in these initiatives is broader than creating awareness; it is educating and changing the behavior patterns of VA key staff, many of whom are clinicians and provide direct patient care, on new initiatives that are critical to enhancing the quality and delivery of care for currently enrolled Veterans as well as those who may be eligible for VA care and benefits. Their understanding is crucial to the execution of a comprehensive communication strategy during a time of reorganization and could not be replaced in a reasonable period by any other source without duplicating efforts achieved during current task order. Burson Marsteller has established a team of accomplished professionals that can navigate a complex environment that includes multiple stakeholders. They have also managed to establish a network of internal resources that positions them to coordinate and rapidly develop messaging and materials.

During the period of performance of the contract, Burson Marsteller has assembled a team of staff with extensive knowledge of and specialized experience with OIA's internal communication strategies. The expertise needed to maintain operations without significant disruptions could not be obtained without a "learning curve". Additionally, the current vendor has access to all the necessary systems and equipment needed to perform satisfactorily; the time it takes to transition to a new vendor, acquire access to VA systems and obtain government furnished equipment would assure a significant and untimely gap in critical communication activities. The office cannot afford the potential impacts to performance and the team's ability to preserve crucial activities such as graphic design support, and modification and maintenance of Web sites if there is a break in services. Keeping this contractor in place will ensure continuity of services without extensive delays due to their knowledge and understanding of internal procedures and organizational dynamics. Additionally, many of the new deliverables identified for the new period of performance are dependent on the work that BM initiated under the current requirement. BM has assembled a team that is able to effectively meet the needs of the office because of institutional knowledge of OIA communication requirements, programs, campaigns, processes and resources that would not be readily available from other contractors without duplicating efforts achieved during the current task order.

## **5. DETERMINATION BY THE CONTRACTING OFFICER REGARDING FAIR AND REASONABLE ANTICIPATED COST**

Re-competing this requirement would result in substantial duplication of cost to the Government that is not expected to be recovered through competition. The Contracting Officer (CO) will evaluate pricing and determine the price to be fair and reasonable before awarding a new task order.

## **6. ANY OTHER SUPPORTING FACTS**

The sole-source contract is advantageous to the Government as Burson Marsteller has already gained and demonstrated a unique institutional knowledge of management expectations, preferences, and mechanisms for delivery, as well as technical expertise in understanding the complexity surrounding internal communication between OIA and its primary business partners.

A lapse in service of the current communications contract would result in significant operational impacts for OIA staff, including OIA Communications, the Directorates, and the OIA Leadership Team, which is tasked with supporting key VA/VHA performance initiatives such as access to care, outreach for Operation Enduring Freedom (OEF)/Operation Iraqi Freedom (OIF)/Patient Aligned Care Teams (PACT) initiatives, telehealth efforts and other VA/VHA measures that support the Secretary's performance to meet critical health care objectives. The lapse in service would also have a direct and immediate impact on OIA stakeholders, including VHA operational field staff. The Communications Team currently lacks government personnel that have the technical web development or graphic expertise to create the dynamic products and multi-media tools or capability used to promote these national efforts. Eliminating BM's current support would significantly limit the extent of communications activities between the VA operational field staff, OIA and key stakeholders. For example, currently OIA's Connected Health Office is planning to pilot several mobile applications targeted at Veterans and family members. Burson Marsteller is aggressively assisting with the rollout activities, focused on creating awareness among internal stakeholders about the program and its goals and objectives. Limiting the communication and outreach activities targeted to this population would have significant impact on VA's ability to influence Veteran adoption of technology and tools designed to empower and engage them as participants in their health care.

## **7. ACTIONS THE AGENCY MAY TAKE TO REMOVE BARRIERS TO COMPETITION**

This method of awarding follow-on contracts is not considered a barrier to competition. Burson Marsteller was the successful contractor under competition that was conducted for the services currently in place.